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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,964	06/24/2003	Tommy L. Jamison	1322-000158	1212

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EXAMINER	
PRETLOW, DEMETRIUS R	

ART UNIT	PAPER NUMBER
2863	

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/602,964	JAMISON ET AL.	
	Examiner	Art Unit	
	Demetrius R. Pretlow	2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 June 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10,12-17 and 19-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-10 and 19-22* is/are allowed.

6)☒ Claim(s) *12* is/are rejected.

7)☒ Claim(s) *13-17* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 June 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cameron (US 3808859) in view of Iwata et al. (US 4,631,949). Cameron teach aligning one of the container and the stem directly to an axis of the other one of the container and the stem. Note Cameron column 3, lines 59 Cameron teach establishing a axis of the stem. Note Cameron claim 18, lines 1-6. Cameron teach establishing an axis of the container. Note Cameron claim 18, lines 1-6.

Cameron does not teach adjusting the one of the container and the stem such that the axis of the one of the container and the stem is coincident of the axis of the other one of the container and the stem.

Iwata et al. teach adjusting the one of the container and the stem such that the axis of the one of the container and the stem is coincident of the axis of the other one of

the container and the stem. Note claim1, lines 1-22,41-52. Iwata et al. teach the stem maintained coaxially with the container sleeve which suggests that the axis must be determined (established).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Cameron to include the invention of Iwata et al. because it would enable the obtaining of a good roundness. Note abstract lines 7-9.

Allowable Subject Matter

Claims 13-17 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The primary reason for the allowance of claims 13-16 is the inclusion of the method step of wherein the transmitter is employed to establish the axis of the stem. It is this step found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claims 17 is the inclusion of the method step of wherein a plurality of jack screws are employed to selectively position the container and wherein the step of adjusting the container includes determining an amount and direction in which each of the jack screws is to be rotated. It is this step found in each of the claims, as it is claimed in the combination, that has not been found, taught or

suggested by the prior art of record which makes these claims allowable over the prior art.

Claims 1-10,19-22 are allowed.

The primary reason for the allowance of claims 1-10 is the inclusion of the method steps of identifying each critical device (CD) that is employed to affect a position of an associated critical component (CC); identifying a plurality of possible positions (PPco) for each critical device (CD); identifying a plurality of possible combinations (PC), each possible combination (PC) including one of the possible positions (PPcn) for each of the critical devices (CD); and evaluating each of the possible combinations (PC) to identify which of said possible combinations (PCA) adversely effect the output of the machine tool. It is these steps found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claim 19 is the inclusion of the method steps of aligning the moving crosshead horizontally and vertically to an axis defined by the main ram, wherein the step of aligning the moving crosshead horizontally comprises: mounting a laser transmitter to one of the front and rear platens; moving a laser receiver to the other one of the front and rear platens; generating a laser beam with the laser transmitter; receiving the laser beam with the laser receiver to establish an offset axis, the offset axis being horizontally offset from the axis of the main ram by a predetermined distance', mounting the laser receiver to the moving crosshead',

receiving the laser beam with the laser receiver to determine an amount by which an axis of the moving crosshead is horizontally offset from the offset axis; and calculating an amount by which the axis of the moving crosshead is horizontally offset from the axis of the main ram. It is these steps found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claims 20-21 is the inclusion of the method step of aligning the moving crosshead horizontally and vertically to an axis defined by the main ram, wherein the step of aligning the moving crosshead vertically comprises: mounting a laser transmitter on a first lateral side of the extrusion press, the laser transmitter generating a laser beam that is contained in a first horizontal plane; mounting a laser receiver to the rear platen on the first lateral side; transmitting the laser beam in the first horizontal plane to the laser receiver to determine a first elevation of the rear platen; mounting the laser receiver to the front platen on the first lateral side; transmitting the laser beam in the first horizontal plane to the laser receiver to determine a first elevation of the front platen; mounting the laser receiver to the moving crosshead on the first lateral side; transmitting the laser beam in the first horizontal plane to the laser receiver to determine a first elevation of the moving crosshead; mounting the laser receiver to the container; transmitting the laser beam in the first horizontal plane to the laser receiver to determine an elevation of the container', mounting a laser transmitter on a second lateral side of the extrusion press such that the laser transmitter generates the laser beam in a second horizontal plane; transmitting the laser beam in the second

horizontal plane to the laser receiver that is mounted on the container to determine a lateral elevation offset; mounting the laser receiver to the rear platen on the second lateral side; transmitting the laser beam in the second horizontal plane to the laser receiver to determine a second elevation of the rear platen; mounting the laser receiver to the front platen on the second lateral side; transmitting the laser beam in the second horizontal plane to the laser receiver to determine a second elevation of the front platen', mounting the laser receiver to the moving crosshead on the second lateral side; transmitting the laser beam in the second horizontal plane to the laser receiver to determine a second elevation of the moving crosshead; employing the first and second elevations of the rear platen, the first and second elevations of the front platen and the lateral elevation offset to determine a position of the axi6 of the main ram in a generally vertical plane; and employing the first and second elevations of the moving crosshead and the lateral elevation offset to determine a position of the axis of the moving crosshead in the generally vertical plane. It is these steps found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Demetrius R. Pretlow whose telephone number is (703) 272-2278. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Demetrius R. Pretlow Demetrius Pretlow 3/3/05

Patent Examiner

MICHAEL NGHIEM
PRIMARY EXAMINER